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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,695	08/20/2003	Thomas H. Turpen	60-008703US	9296
22798	7590	04/20/2005	EXAMINER	
QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C. P O BOX 458 ALAMEDA, CA 94501			FOX, DAVID T	
			ART UNIT	PAPER NUMBER
			1638	
DATE MAILED: 04/20/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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041205

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Commissioner for Patents

Art Unit: 1638

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 1638.

The preliminary amendment filed on 12 May 2004 is not compliant with 37 CFR 1.121(c) because of the following omission(s) or matter(s):

The amendment of 12 May 2004 depicts claim 11 as originally containing the phrase "A fusion protein fused to a protein of interest". However, originally filed claim 11 reads "A polypeptide encoded by a polynucleotide according to Claim 1." Thus, the amendment to claim 11 is improper because it does not underline all of the newly submitted subject matter, namely "fusion protein", "fused to" and "protein of interest"; and because it does not strikethrough the previously presented subject matter, i.e. the original claim language recited above.

See 37 CFR 1.111. Since the above-mentioned amendment appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David T. Fox whose telephone number is 571-272-0795. The examiner can normally be reached on Monday through Friday from 10:30AM to 7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy J. Nelson, Ph.D., can be reached on 571-272-0804. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 1638

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 12, 2005

DAVID T. FOX
PRIMARY EXAMINER
GROUP 480

1638

A handwritten signature in black ink, appearing to read "David T. Fox", written in a cursive style.